

ORIGINAL



0000137106

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2012 MAY 31 AM 10 45

In the matter of:

SEED CORPORATION, an Arizona  
Corporation dissolved by administrative  
action;

RANDALL DUANE SIMONSON and  
MARILYN J. SIMONSON, husband and  
wife; and

KARL HENRY REHBERG AKA SHAWN  
PIERCE, and HELEN REHBERG AKA  
LISA PIERCE, husband and wife;

Respondents.

DOCKET NO. S-20844A-12-0122

Arizona Corporation Commission  
**DOCKETED**

MAY 31 2012



**THIRD**  
**PROCEDURAL ORDER**  
**(Schedules Hearing)**

**BY THE COMMISSION:**

On March 30, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against SEED Corporation ("SEED"), Randall Duane Simonson and Marilyn J. Simonson, husband and wife, and Karl Henry Rehberg aka Shawn Pierce, and Helen Rehberg aka Lisa Pierce, husband and wife (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock and notes.

The Respondent Spouses, Marilyn J. Simonson and Helen Rehberg aka Lisa Pierce, were joined in the action for the purpose of determining the liability of the marital communities pursuant to A.R.S. § 44-2031(C).

The Respondents were duly served with copies of the Notice.

On April 13, 2012, Respondents Randall Duane Simonson and Marilyn J. Simonson filed a request for hearing in this matter.

1 On April 23, 2012, by Procedural Order, a pre-hearing conference was scheduled on May 9,  
2 2012, in response to the Simonsons' request for hearing.

3 On May 3, 2012, Respondents Karl Henry Rehberg and Helen Rehberg filed requests for  
4 hearing in this matter.

5 On May 7, 2012, by Procedural Order, a second pre-hearing conference was scheduled on  
6 May 30, 2012, in response to the Rehbergs' requests for hearing.

7 On May 9 and May 30, 2012, the pre-hearing conferences were held as scheduled. The  
8 Division appeared with counsel and the Simonson Respondents appeared on their own behalf at the  
9 May 9, 2012, pre-hearing conference and the parties indicated they were discussing a possible  
10 settlement with respect to the Simonson Respondents.

11 On May 30, 2012, at the second pre-hearing conference scheduled in response to the  
12 Rehbergs' requests for a hearing, the Division appeared with counsel and Mr. Simonson appeared on  
13 his own behalf. The Rehbergs did not appear. The Division and the Simonsons were continuing their  
14 discussions, but in the interim the Division requested that a hearing be scheduled.

15 Accordingly, a hearing should be scheduled.

16 IT IS THEREFORE ORDERED that a **hearing** shall be held on **November 13, 2012, at**  
17 **10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1,  
18 Phoenix, Arizona.

19 IT IS FURTHER ORDERED that the parties shall also reserve **November 26, 27, 28, 29 and**  
20 **30, 2012, for additional days of hearing**, if necessary.

21 IT IS FURTHER ORDERED that **the Division and Respondents shall exchange copies of**  
22 **their Witness Lists and copies of their Exhibits by September 21, 2012**, with courtesy copies  
23 provided to the presiding Administrative Law Judge.

24 **IT IS FURTHER ORDERED that if the parties reach a resolution of the issues raised in**  
25 **the Notice prior to the hearing, the Division shall file a Motion to Vacate the proceeding.**

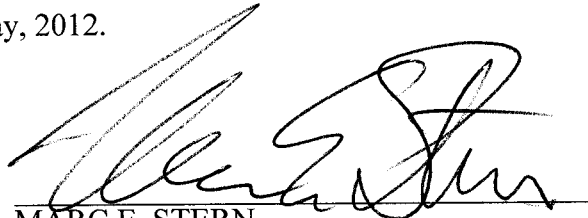
26 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
27 Communications) is in effect and shall remain in effect until the Commission's Decision in this  
28 matter is final and non-appealable.

1 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
2 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission  
3 *pro hac vice*.

4 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance  
5 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
6 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
7 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
8 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
9 Administrative Law Judge or the Commission.

10 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,  
11 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
12 ruling at hearing.

13 DATED this 31<sup>ST</sup> day of May, 2012.

14  
15  
16   
17 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered  
19 this 31<sup>ST</sup> day of May, 2012 to:


20 Randall Duane Simonson  
21 Marilyn J. Simonson  
22 SEED CORPORATION  
23 10239 East Happy Valley Road  
24 Scottsdale, AZ 85255-2326

25 Karl Henry Rehberg  
26 Helen Rehberg  
27 7848 Sonoma Springs Circle, Apt. 108  
28 Lake Worth, FL 33463-7939

25 Matt Neubert, Director  
26 Securities Division  
27 ARIZONA CORPORATION COMMISSION  
28 1300 West Washington Street  
Phoenix, AZ 85007

ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
Phoenix, AZ 85004-1481

By:

  
Debra Broyles  
Secretary to Marc E. Stern